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JULY, 1912

OCTOBER, 1912

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Elliot - Secret remedies
Hinks. Sir W. Herschel

Edited by HAROLD COX

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CONTENTS OF VOL. 216.

No. 441

JULY, 1912

	PAGE
India and her Sovereign	1
The Causes of Chinese Unrest	J. O. P. BLAND 21
The Hôtel de Rambouillet	EDMUND GOSSE, C.B. 41
Fox	HORACE BLEACKLEY 62
The Rousseau Bicentenary	FRANCIS GRIBBLE 75
Chauvinism in Music	MRS. ROSA NEWMARCH 95
Zoology in the Time of Shakespeare	DR. SHIPLEY, F.R.S. 117
On Safety of Life at Sea 139
The Changing Status of Oriental Women	SAINT NIHAL SINGH 163
The New Renaissance in France 187
A Famous Heresy Trial	REV. ALFRED FAWKES 202
Home Rule Economics 216
Contemporary Politics	THE EDITOR 235

No. 442

OCTOBER, 1912

Mr. Balfour in the Study	SIDNEY LOW 257
Secret Remedies	HUGH S. ELLIOT 279
Sir William Herschel	A. R. HINKS 302
The First of the Fenians	HARRY GRAHAM 321
A Seventeenth-Century Admiral and Diplomat 340
* Sir Walter Scott and Joanna Baillie	VICTOR G. PLARR 355
Current Literature	WALTER DE LA MARE 372
The Church Militant 390
Apprenticeship and the Training of the Workman	CYRIL JACKSON 411
Democracy and Liberalism	ARTHUR A. BAUMANN 428
The Presidential Election in the United States 447
Politics and Prices	THE EDITOR 469
The Problem of Persia	LOVAT FRASER 489

* with Hunter-Baillie collection.

SECRET REMEDIES

1. Secret Remedies. What they Cost and What they Contain. London. British Medical Association. 1909.
2. More Secret Remedies. What they Cost and What they Contain. London. British Medical Association. 1912.
3. Articles by Dr. F. ZERNIK in the *Deutsche Medicinische Wochenschrift*. Berlin.
4. Government Blue Book on 'The Practice of Medicine and 'Surgery by Unqualified Persons in the United Kingdom.' [Cd. 5422.] Wyman and Sons.
5. The Agitation against Patent and Proprietary Medicines and Foods. Published by the 'Owners of Proprietary Articles 'Section' of the London Chamber of Commerce. London. 1912.
6. A Sequel to Secret Remedies (in Search of Truth). By FREDERICK PHILLIPS. London. Evan Macleod, 30 Holborn. 1912.
7. British Medical Journal. Reports of the Proceedings of the Select Committee of the House of Commons, appointed by the Treasury to inquire into the question of patent and proprietary medicines, etc. 1912.
8. Das Geschlechtsleben in England, mit besonderer Beziehung auf London. Von Dr. EUGEN DÜHRER. Charlottenburg and Berlin. 1901-3.
9. Quackery and Medical Law Reform. By HENRY SEWILL. P. S. King and Son. 1912.
10. Truth Cautionary Lists.
11. The advertisement sheets of low-class periodicals in England, France, and Germany.

IT is often lamented that the news columns of our daily papers are drowned amidst a swarm of advertisements of every kind: and the wish is sometimes expressed that a newspaper might be instituted which should be confined solely to the news of the day. But there are certainly a large number of newspaper readers who do not in the least share this wish. They find—as does the present writer—that the advertisements are often more interesting than the news; and so far from desiring the news without the advertisements, they in

many cases prefer to spend their money on the purchase of papers which devote themselves mainly to advertisements and neglect the news. For of what does the news in an average $\frac{1}{2}d.$ paper mainly consist? Of football matches and horse-racing, entertaining enough doubtless for those who like them; of the prices of stocks and shares, which appeal only to a limited class; of the speeches of politicians, which, however important they may be for the continued existence of the universe, do not tend to produce any uncontrollable desire to peruse them.

The advertisements, on the other hand, are commonly full of human interest and instruction. The first impression perhaps that one gathers from them is that the world is divided into the two classes of impostors and idiots, of knaves and fools. For example, in a well-known magazine is to be found more than one advertisement of astrologers, who offer, for a small fee, to forecast the future by the help of the stars. And these advertisements are not mere feelers put out by rascals to ascertain the existence of a market. Month after month the same advertisements appear, showing that regular business is done. The advertisements moreover are occasionally accompanied by a photograph of the astrological professor who offers his services: a photograph which to a novice in these matters appears calculated to dissipate promptly and for ever the professor's clientèle; but which, if we may judge from its recurrence, does nothing of the kind. Hence may be drawn two interesting conclusions: that the gross imposture of astrology still finds advocates in the twentieth century; and that the photograph of a rascally face incites certain persons to forward their money to the presumptive owner.

On looking through these advertisements one cannot fail to be struck by the large space taken up by proprietary medicines. In the pages of a single magazine one may find advertised guaranteed cures for almost every disease that human nature is heir to. No matter from what complaint the reader may be suffering, he will find promises of relief and permanent cure; and he will be astonished to observe that some of the drugs offered are so efficacious in character that they will cure not one disease only, but practically any disease whatsoever. One is 'a guaranteed cure for all blood diseases; it never 'fails to cure scrofula, cancerous ulcers, syphilis, gout, dropsy,

'etc.' Another announces 'Whatever you may be suffering from, don't worry; ———'s preparations are certain to cure you.' A third cures 'bowel complaints with one dose, typhus with two doses, diphtheria with three, scarlet fever with four, cholera with five, and influenza with six.'* It requires in short no great penetration to perceive that a large amount of fraud is practised in the trade of proprietary medicines; and this inference is borne out by the frequency with which 'proprietors' figure in the 'Truth Cautionary List.' But it is easy to overdo the charge. In what trade is there not fraud? In many very respectable trades it is said that a man cannot hold his own against competition if he deals with absolute fairness.† When we buy a loaf and find it to be short weight, we do not accuse the whole baking trade of fraud. Nor because some proprietary medicines make fraudulent claims must we assume that the whole trade is bad. It is our purpose here to investigate the extent of the evil, and to consider what legislative or administrative action may be employed to deal with it.

The attack was opened by the 'British Medical Journal' in 1904 with a series of articles, republished by the British Medical Association in 1909 under the title of 'Secret Remedies.' In that work were published the results of a large number of analyses of secret remedies, mostly made, it is understood, by Mr. E. F. Harrison, an analyst of distinction. Advertisements were collected from periodical literature, the nostrums advertised were written for, and when received were analysed. The very great success of this work, of which about 150,000 copies have been sold, induced the Association to publish another similar volume during last summer entitled 'More Secret Remedies.' The following examples of the results published in these two works are taken at random.

Perhaps the most famous of all proprietary medicines is Beecham's Pills. Of these it is stated 'A box of these pills, advertised to be worth a guinea, is sold for 1s. 1½d., and the prime cost of the ingredients of the fifty-six pills it contains is about half a farthing.' Analysis disclosed that they consist

* This particular remedy was analysed and found to consist of dilute nitric acid, flavoured with peppermint.

† See Essay by Herbert Spencer on 'The Morals of Trade.' Essays, vol. iii.

of aloes, ginger, and soap. 'No other medicinal ingredient 'was found.' Beecham's Pills are advertised to cure:

'Constipation, headache, dizziness or swimming in the head, wind, pain, and spasms at the stomach, pains in the back, restlessness, insomnia, indigestion, want of appetite, fullness after meals, vomitings, sickness of the stomach, bilious or liver complaints, sick headaches, cold chills, flushings of heat, lowness of spirits, and all nervous affections, scurvy and scorbutic affections, pimples and blotches on the skin, bad legs, ulcers, wounds, maladies of indigestion, kidney and urinary disorders, and menstrual derangements.'

Apparently in reply the proprietors have advertised that 'Beecham's Pills cannot be analysed, and all published analyses 'are hereby pronounced erroneous and misleading.' They also affirmed that there are in their remedy half-a-dozen substances not named in the analysis. Mr. Harrison, in his evidence before the Parliamentary Committee, stated that there might be substances which modify the action of the aloes and the soap while eluding analysis.

Another interesting nostrum is Dr. Williams' Pink Pills for Pale People. This is advertised to cure a great variety of diseases. On analysis the pills were found to be merely a variety of the ordinary Bland's pill, which is commonly used as an iron tonic. It is stated, however, that they are of lower strength than usually prescribed, and 'very carelessly prepared.' The ordinary retail price of Bland's pills is a few pence a gross: whereas the Pink Pills for Pale People are sold at 2s. 9d. per box of thirty: the actual cost of the ingredients of such a box being estimated to be one-tenth of a penny.

A still more glaring contrast between the price of a nostrum and the value of the ingredients, disclosed in it by analysis, is furnished by the case of Tuberculozyne, an American preparation which sells largely in Great Britain, and is advertised as a cure for consumption. The fee demanded for a month's treatment is £2 10s.: for this sum the patient receives two bottles which, according to the analysis, 'consist of little more 'than coloured, flavoured water': the estimated cost of their joint ingredients being 2½d.*

* Subsequently the maker stated that he relied on copper for the efficiency of this preparation. It then transpired that the preparation was imported into this country in iron drums, which would result, as every schoolboy knows, in a deposit of the copper and the

Dr. Hartmann's Antineurasthin is another preparation which has been widely advertised both in Germany and England as a brain and nerve food. The advertisement of this nostrum contains passages of the following character :

' On the highest possible authority it is heralded that science has proved equal to the stern necessity which demanded the discovery of Antineurasthin, the brain and nerve food . . . No longer need the brain worker struggle on under the cloud of fear of failing powers of brain and body. He or she may, by including Antineurasthin as an article vitally necessary in the daily dietary, build up and maintain that perfect balance of mental and physical power which alone can uphold health and happiness.'

Antineurasthin has been analysed both in Germany (by Dr. Zernik) and in England : the result, published in ' More ' Secret Remedies,' is ' that the daily dose of this preparation, ' costing 9d., represents about a teaspoonful of beaten-up egg ' and a wineglassful of skim milk.'

The Antineurasthin company figures also in the ' Truth ' Cautionary List ' for 1910, where it is stated that this nostrum has ' been the subject of a public warning from the chief of the ' Berlin police.' The proprietors have made much use of an ' analysis ' by an individual whose name is also to be found in Truth's list as an ' analyst who supplies puffs for quack ' remedies,' and who, when not so engaged, ' occupies himself ' running theatrical tours in the provinces.'

The ignorance of advertisers is often very apparent. Thus Mer-Syren, Ltd., state in their advertisements that ' as regards ' the nature of disease, the medical profession is pretty much ' where Harvey left it nearly three centuries ago.' Further, that a part of the ' Materia Medica ' now ' almost universally ' used by medical men ' consists of ' . . . beetles, spider's web, ' crab's eyes, tiger's tongue, rhinoceros horn.' The advertisement of this nostrum continues :

' The discovery of Mer-Syren ushered in a new era in the history of medicine ; not only so far as the liver was concerned, but also in the case of many other affections regarding the treatment of which medical men of every school confessed themselves to be nonplussed.

taking up of iron into solution ; so that by the time the preparation was placed upon the English market scarcely a trace of copper remained in it. (Mr. E. F. Harrison before the Parliamentary Committee, July 4, 1912).

. . . Under its specific and benign—yet effective—operation the powers of nature have been reinforced and strengthened so that she has been enabled to quickly relieve herself from the incubus of disease, and, phoenix-like, arise from her ashes, renewed, invigorated, and endowed with all her pristine vitality.

‘This is the sober opinion gleaned from an experience of one versed in medicine for a period of nearly forty years . . .

‘Although its gentle, stimulating and strengthening powers are felt throughout the entire organism, yet its specific healing actions are principally directed to any part labouring under diseased or disordered action. By virtue of its unique and specific properties Mer-Syren immediately operates upon any organ or tissue whose functions may be in any way deranged, or whose structure may be breaking down in consequence of disease.’

In the newspaper advertisement Mer-Syren is described as a ‘powder derived from a herb.’ Analysis pointed to the conclusion that the herb in question was no other than potato: and that this nostrum, advertising itself as ‘one of the greatest ‘boons ever conferred upon suffering humanity’ is in fact simply powdered potato.

In many advertisements the attempt of an ignorant man to use scientific phraseology is often ludicrous; as where an advertiser describes his preparation as ‘very potential,’ or affirms that the white corpuscles of the blood are yeast cells, or that acetic acid is an absolute poison, or that where his ointment is applied there is no foothold for microbes—presumably because the feet of the microbes are not adapted to the greasy surface which it presents.

Such advertisements, moreover, are often accompanied by photographs of the proprietor, or of patients alleged to have been cured by the nostrum advertised. Sometimes proprietor and patient are one person, as, for instance, in an illustrated advertisement of a cure for piles, in which the proprietor states that after years of martyrdom to this disease he discovered a drug with which he cured himself and which he now offers to the public. But the attached photograph of his face is not in the least convincing.

A singularly evil branch of the trade in proprietary medicines is that concerned with sexual matters, on which the prevailing ignorance furnishes, as always, a rich breeding-ground for superstitions. The ‘Geschlechtsleben in England’ of Eugen Dührer, now better known as Dr. Iwan Bloch, contains some very curious information on advertisements of this kind: and although belonging to the class ‘librorum

'prohibitorum' should be read by those who desire wider knowledge. 'Female Pills' are especially obnoxious. The only remedy of this class that need be mentioned is one that was found to contain, amongst a number of other substances, a small quantity of a powdered beetle, probably due to one of the ingredients having been beetle-infested !

As an instance of the claims put forward by certain proprietors of cure-alls, the following quotation may be made from one advertisement of a single remedy to cure the following diseases :

'Dropsy. Insanity. Tubercular diseases. Consumption. Bronchitis. Asthma. Heart, stomach and liver diseases. Inflammatory and painful diseases of the spleen, pancreas, womb, kidneys, bladder and bowels. Mumps. Abscesses. Scrofula . . . Hydrocephalus . . . Measles . . . Smallpox. Fevers of all kinds . . . Organic debility. Angina pectoris . . . Diphtheria . . . Whooping cough . . . Bleeding of the nose, eyes, or ears . . . Polypus of the nose, etc. . . . Vermin under the skin . . . Poisoning by bad or putrid fish . . . Erysipelas . . . Boils . . . Piles. Hysteria. Tooth-, jaw-, and face-ache. Sciatica. Neuralgia. Lumbago . . . Pleurisy . . . Epilepsy . . . Painful, prolonged, and difficult parturition . . . Difficult, deficient, painful, or suppressed menstruation . . . Leucorrhœa . . . Squinting. Sunstroke . . . Sore throat. Cold in the head . . . Bright's disease. Diabetes . . . Cataract. Amaurosis. Short-sightedness . . .'

We are irresistibly reminded of Molière's 'Malade Imaginaire,' where the 'Bachelierus' is examined for his medical degree by several doctors :

Secundus Doctor

'Domandabo tibi, docte Bacheliere,
Quae sunt remedia
Quae in maladia
Ditte hydropisia
Convenit facere.

Bachelierus

'Clysterium donare,
Postea seignare,
Ensuitta purgare.*

* Give an injection,
Then bleed him,
Afterwards purge him.

Chorus

‘ Bene, bene, bene, bene respondere.
Dignus, dignus est intrare
In nostro docto corpore.

Tertius Doctor

‘ Domandabo tibi, docte Bacheliere,
Quae remedia eticis,
Pulmonicis, atque asmaticis,
Trovas à propos facere.

Bachelierus

‘ Clysterium donare,
Postea seignare,
Ensuitta purgare.

Chorus

‘ Bene, bene, bene, bene respondere.
Dignus, dignus est intrare
In nostro docto corpore.

Quartus Doctor

‘ Super illas maladias
Doctus Bachelierus dixit maravillas ;
Mais . . .
Faciam illi unam quaestionem.
Dès hiero maladus unus
Tombavit in meas manus :
Habet grandam fievram cum redoublamentis,
Grandam dolorem capitis,
Et grandum malum au costé,
Cum granda difficultate
Et pena de respirare :
Veillas mihi dire,
Docte Bacheliere,
Quid illi facere ?

Bachel'erus

‘ Clysterium donare,
Postea seignare,
Ensuitta purgare.

Quintus Doctor

' Mais si maladia
Opiniatria
Non vult se garire,
Quid illi facere ?

Bachelierus

' Clysterium donare,
Postea seignare,
Ensuitta purgare ;
Reseignare, repurgare, et reclysterisare.

Chorus

' Bene, bene, bene, bene respondere.
Dignus, dignus est intrare
In nostro docto corpore.'

A sufficient number of examples have been cited to indicate the character of the case brought against proprietary medicines. We must admit that it is a strong case. Moreover, all the methods of the trade appear to be tainted with the same vulgar claptrap that we find in their advertisements. If an enquiry about the price of a medicine does not result in a purchase, a succession of letters and circulars is forwarded at intervals to the enquirer, offering to reduce the price for him as a special favour, and holding out all sorts of inducements, couched, it need hardly be said, in the language of the most degraded of touts.

Having now stated the case for the doctors, we must give an account of the reply which has been made to them. At the outset, it is pointed out that the attack on proprietary medicines has been levelled not by the victims of their fraud, nor by philanthropists or social reformers, but by the British Medical Association, representing the medical profession ; and it has been suggested that the Association is animated chiefly by the desire to suppress unlicensed competition. Attention is drawn to the fact that the ' British Medical Journal ' itself makes a very large income (stated however to be less than 20,000*l.* a year) from advertisements in its pages of proprietary medicines : and that these advertisements do undoubtedly often make claims that are quite unwarrantable, as in one case of a ' sovereign remedy in all cases of constitutional disorders, ' gall stones, kidney, gravel, diabetes, liver complaints, and all ' gouty ailments ' ; and in another case of ' a remedy for all

'irritating skin diseases.' That advertisements in the 'British Medical Journal' are not usually so exaggerated as those in the lay Press may be accounted for by the greater knowledge, and therefore greater scepticism, of those to whom they are addressed. The attitude of the English profession in attacking the whole system of proprietary medicines while publishing extensive advertisements of such medicines in their own journal has been severely criticised by the 'Journal of the American Medical Association.'

In further defence of the proprietors of secret remedies, it is pointed out that doctors themselves often prescribe proprietary medicines to their patients; and that Dr. Cox, Medical Secretary to the British Medical Association, himself admitted in his evidence before the Parliamentary Committee (25th of June) that there were some proprietary medicines which he personally preferred to any formula in the 'Pharmacopœia.' While on the other hand Dr. Cox, questioned by the Committee (18th of June), said he did not think it would be possible to produce actual cases in which people had suffered injury from the sale of proprietary medicines.

In view of these facts, doubts have been expressed about the philanthropic motives of the Association. Very large sums of money are spent by the public in the purchase of proprietary medicines, and it may be surmised that if the sale of such medicines were suppressed, much of this money would be diverted into the pockets of doctors. Dr. Cox disputes the inference. He believes, on the contrary, that the incomes of the profession are, on the whole, increased by the traffic in secret remedies—presumably because the injurious effects of the medicines increase the number of people who subsequently are driven to the doctor. The memorandum of evidence put in by the British Medical Association similarly states 'that financially the profession gained by the unrestricted use of proprietary medicines and preparations.' But this, say opponents, is going too far. Here and there we may find a solitary individual whose philanthropy is such as to embark him upon a course of active propagandism for a purpose that is opposed to his personal interests. But we cannot, they say, credit a whole profession with these disinterested motives—greatly though we may admire its individual members. Still less can we believe that the propagandism would be carried on

with the vigour which we actually witness. It is not easy to believe that the only class in the community which has attacked these remedies is the one class which profits by their sale. We may recollect that the trade guilds of the Middle Ages sought to justify their existence as being to the public interest ; and that the apprenticeship laws were passed in order that the public might be supplied with articles of competent workmanship. Yet we know that the real motive of apprenticeship laws was the maintenance of monopoly in the various branches of trade, by making it illegal to the outside public to enter into competition. The medicine proprietor contends that there is here a close analogy with the action of the medical profession, and demands to be informed of the points of difference. Indeed, he has gone so far in his own defence as to recall the libellous old story of the terrible and ubiquitous malady which is said to have been widely spread by Francis I. in France—a malady which probably brought the larger part of the population, at one time or another, into the doctors' hands : and how for many years physicians visiting Paris used to approach with veneration the statue of Francis, and there give thanks to God or the wide diffusion of that universal disease.

And if it is really philanthropy which impels the profession long a path contrary to their interests, why, asks the proprietor of secret remedies, does not the Association gather itself together for the greatest achievement open to mankind—the prevention of disease ? Why do they not strain every nerve for the extinction of tuberculosis and the other preventible diseases ? Why is the interest in prevention, among the profession at large, chiefly confined to smallpox, where the preventive measures are such as to require every healthy baby born into the world to be delivered into the doctors' hands ? Why does the dentist, who gaily stops a hole in our teeth, not inform us of the measures requisite for preventing the arrival of future holes ? The exaggeration, and indeed the baselessness, of many of these criticisms of the medical profession will be obvious to every well-informed person ; but it is only fair to the trade that their case should be stated with the same publicity as that of the doctors. The arguments recited, moreover, are not peculiar to the present controversy, but have been repeated from time to time by writers of the highest distinction, from the age of Molière to the age of Mr. Bernard Shaw. But none

of these writers have supported quack medicines. On the other hand, Mr. H. G. Wells has attacked quackery, under the name of 'Tono-Bungay,' with an almost unrivalled satire and insight into character.

Quite a different line of argument in defence of proprietary medicines is put forward in a pamphlet published by the London Chamber of Commerce, which, whatever we may think of its conclusions, states its case with great moderation and fairness. This pamphlet urges that proprietary medicines constitute a system of medication that is unsurpassed for simplicity, uniformity, and cheapness. The public, having learnt that a certain medicine will benefit certain conditions, can obtain that medicine, always of exactly the same composition, at any chemist's in the United Kingdom 'at a mere fraction of the cost of the same class of medicine when obtained through a physician's advice and prescription.'

In 1909, the Privy Council requested the Local Government Board to ascertain from the medical officers of England and Wales whether the practice of medicine and surgery by unqualified persons was assuming large proportions in their districts, and whether such practice was detrimental to the health of their districts. Replies were received from 1600 medical officers of health, and have since been published as a Government Blue Book. The pamphlet of the London Chamber of Commerce points out that only two cases are quoted to prove that some harm had been done by patent medicines, 'one of them in a very vague and indefinite way'; the other resting on the 'opinion' of a doctor. The pamphlet rightly insists that this is an astonishingly good result, in a trade which sells about 50,000,000 medicines a year. Under the ordinary statistical laws, many more accidents might have been anticipated, even with the most careful supervision.

In the evidence before the Parliamentary Committee one or two doctors stated that they had seen injurious results follow the use of proprietary medicines, chiefly by the delay which they caused in visiting a doctor. This judgment is without doubt accurate: yet the formalities of justice demand that details of some of these cases should be placed upon the table, and that the owners of proprietary articles should have a complete opportunity for investigating and replying to them. Considering the fierce and hostile glare that ha

been turned on to the trade, it must be confessed that a singularly small amount of injury has been brought to light : and no attempt has been made to compare the extent of that injury with the injury resulting from improper treatment by doctors, or from a mistaken or delayed diagnosis. For even qualified practitioners are not infallible.

It is desirable that attention should here be drawn to a fact which hitherto has been little recognised by those engaged in this discussion—namely, that, as far as the public are concerned, the remedies supplied by doctors are just as secret as those supplied by newspaper advertisers. With doctors who do their own dispensing, there is obviously no difference whatever as regards secrecy. A bottle of medicine is sent to the patient, who consumes it without the vaguest notion of what it may contain. And even with doctors who hand their patients prescriptions the case is not very different. For the prescriptions are worded in an abbreviated form of Latin, unintelligible to those who have never been instructed in the mysteries. A prescription is really a cypher letter of instruction from the doctor to the chemist to deliver certain drugs to the patient. As far as the chemist is concerned, the letter might just as well be written in plain English words. The purpose of this esoteric symbolism is that the patient should not understand it : for if he understood it, he might be tempted into self-medication, the chronic bugbear of the medical profession. Indeed so far is the concealment carried that occasionally a deceptive name for a drug is purposely introduced, as, for instance, when a doctor prescribes opium pills under the title of ‘compound pills of soap,’ or the Latin equivalent.

Now this dislike of self-medication may fitly occupy us for a moment, as there can be little doubt it lies at the base of the attack upon proprietary medicines. What may be called the extreme official view of the profession is that no man should ever treat himself in any way : that the moment his health fails in the smallest particular, he should place himself unreservedly in the doctor's hands. Dr. Cox, Medical Secretary of the British Medical Association, brings this out clearly in his evidence before the Parliamentary Committee. ‘Does not your evidence mean that no one ought to try a remedy of any kind without having his case diagnosed by a medical man ?’—

'I do not think we mean that, and I do not think the public 'is likely to take that extreme *counsel of perfection*' (20th of June). And again, on the 25th of June: 'Your point 'is that no one should have treatment without a doctor's prescription?'—'That is a counsel of perfection. I recognise that 'all people could not afford to do that, although it would be the 'best thing if it could be done.' In other words, if you think you want a blue pill, the proper and desirable course (if you can afford it) is to pay your doctor anything from half a crown to a guinea for writing '4 grains of blue pill' in dog-latin hieroglyphics upon a half-sheet of notepaper.* Well, of course that is the trade-union point of view; and it comes naturally from the secretary of the association which exists in order to look after the interests of the profession. But it neither is, nor ever can be, the public point of view: the sentiment for keeping out of the doctor's hands as far as possible appears a healthy one, quite apart from the unwholesome process of fee-paying.

In furtherance of the same purpose, there is a strong body of opinion among doctors that no chemist should make up any prescription more than once. If asked to make up a second bottle, he should refer his customer again to the doctor. These and all similar doctrines are of course urged on the ground of the grave injury which the public may do themselves if they take to their own medication. Indeed on this point the philanthropic sensitiveness of doctors is quite amazing. And doubtless they do well to be sensitive. For with one or two exceptions, drugs do not work the magical results which the public expect from them. The number of really useful drugs is so extremely limited that, were they known by simple English names, an intelligent person would have very little difficulty in mastering the ordinary uses of all of them: and if that elementary knowledge were to become at all general, doctors would almost necessarily suffer. That a physician can cure diseases is (except in one or two cases) a popular superstition. All he can do is to console the patient, while the disease pursues its normal course: and that consolation may take the form of disagreeable beverages or of moral support—which is perhaps the most valuable of all.

We have now run over the cases both for and against 'Secret

* Something after this fashion: R Pil. Hydrarg. gr. iiii.

'Remedies.' It remains for us to name some general facts with regard to the trade, and to consider what action, if any, requires to be taken. The existence of a Government duty, requiring every bottle to be labelled with a Government stamp, enables us to judge approximately of the dimensions of the trade. From these figures we may infer also its prosperity : and we may note that there is a tolerably steady rise year by year. For the five years 1899-1903, the average receipts from stamps per annum were £298,483. In the following quinquennium they were £328,048, the returns for 1908 being £335,878. 'Secret Remedies,' which was published in 1908, and has had a circulation of 150,000, appears to have arrested temporarily the progress of the trade, for the quinquennial average from 1907-11 fell to £323,099. Nevertheless, it seems to be rapidly recovering. For the year ending on the 31st of March 1911, the sum of £325,646 was received, showing an increase of £12,532 on the previous year ; and for the year ending on the 31st of March 1912, the receipts amounted to £327,856. At present it is said that on the average one new proprietary medicine makes its appearance every week. In America a similar result is observable. According to figures supplied by the Department of Commerce at Washington, U.S.A., the export of proprietary medicines, which stood at £400,000 fifteen years ago, has now grown to £1,400,000, nearly one-third of which is sent to this country.

The absolute sum spent by the public on proprietary medicines cannot be rigidly deduced from these returns. As a result, however, of a careful calculation in 'Secret Remedies,' the figure of £2,422,800 was arrived at as an estimate of the amount spent by the public in the year ending on the 31st of March 1908. There is no doubt that this is a very moderate estimate, and is probably below the mark. This sum would represent a sale in the United Kingdom alone of over 50,000,000 proprietary medicines in the course of a year.

Now the Proprietary Articles Section of the London Chamber of Commerce estimate that the advertising expenditure of their members per annum 'cannot be less than £2,000,000.' This estimate was prepared quite independently of that in 'Secret Remedies' ; but a comparison of the two certainly seems to dispose of the suggestion that the prices charged are exorbitant. If the trade spend £2,000,000 and only receive

from the public £2,422,800 it cannot be said that the profit is unjust, and we have to remember that this is only the gross profit. Out of it the proprietor has to pay the cost of the raw materials, the cost of manufacture, the presumed skill of the inventor, the stamp duties, and the retailers' commissions. It cannot therefore be contended that the net profits are too high. It is quite true that an extreme contrast exists between the prices of nostrums and the prime cost of their ingredients; for the latter is quite one of the least important items of the manufacturer's expenses. Yet it is well to recognise that when we purchase a secret remedy we are in the main paying, not for the drugs, but for the advertisement which brought it to our attention. And it should be noticed that even when we go to a doctor for drugs, his charges have no more reference to the cost of ingredients than in the case of proprietary medicines.

As to the class of people who furnish the market for proprietary medicines, it appears to be a great mistake to assume that the trade is confined to the classes who are unable to afford a doctor. On the contrary, the evidence goes to show that the sale is pretty evenly distributed through the whole population. It is found that members of the upper classes will give testimonials freely to nostrums that are beyond question worthless. Indeed, Mr. Harrison, in his evidence before the Parliamentary Committee, expressed the view that the more educated classes are as easily gulled as the uneducated. Edwards' Harlene is one of the hair-restorers pilloried in 'More Secret Remedies.' Yet a responsible gentleman has been heard to declare that it caused his hair to grow with such rapidity that he was obliged to dilute the remedy with water.

The class of persons who are entrapped by quack remedies may be gauged from the character of the newspapers to which proprietors have recourse. They are, naturally, to a great extent the less respectable newspapers. The Sunday papers are a great resource: also the low-class 'comics,' and, especially, the religious papers. The author of 'More Secret Remedies' found in one religious weekly eighteen advertisements of secret remedies, along with 'galvanic rings for rheumatism,' '1s. for £1,' '£2 weekly made by selling remnants,' 'blushing cured,' 'superfluous hair removed,' etc., and in the same paper

the announcement : ' The prayers of the readers of this journal 'are requested for the blessing of God upon those who 'conduct it, and also upon the sermons and narratives which 'are printed in it.' Mr. Henry Sewill, in his evidence before the Parliamentary Committee, also expressed the opinion that religious papers were the 'worst offenders.' Sir William Osler writes similarly :

'I suppose, as a body, clergymen are better educated than any other, yet they are notorious supporters of all the nostrums and humbuggery with which the daily and religious papers abound ; and I find that the further they have wandered from the decrees of the Council of Trent the more apt are they to be steeped in thaumaturgic and galenical superstition.'

That proprietors of secret remedies are careful to select papers where they are likely to find the largest amount of credulity is evidenced by the fact that such advertisements usually appear in company with others of clairvoyants, palmists, astrologers, preparations for removing superfluous hair, preventing blushing, or developing the bust. These advertisements, moreover, constitute a very valuable property for the selected newspapers : so valuable that there is a real difficulty in disseminating through journalistic agency a knowledge of the futile or harmful nature of advertised drugs. The advertisement of secret remedies has been refused by several newspapers : few besides the 'Spectator' have dared to comment on the exposures. Indeed it is affirmed that many of the newspapers of the country are in the hands of proprietors of medicines to such an extent that they would be compelled very widely to misrepresent any political measures which it was proposed to take for the protection of the public. The immense influence that is brought to bear on newspapers cannot be adequately understood by the outside public.

Having now investigated the main facts concerning the trade, and heard the arguments on both sides, we are in a position to pass on to the ultimate question : What is to be done ? Under the present state of the law, vendors of proprietary medicines have to take out annually a licence, with a 5s. duty, and a further duty is imposed on every article sold, under the following scale : Value 1s., 1½d. ; exceeding 1s. and not exceeding 2s. 6d., 3d. ; exceeding 2s. 6d. and not exceeding 4s., 6d. ;

exceeding 4s. and not exceeding 10s., 1s.; exceeding 10s. and not exceeding £1, 2s.; exceeding £1 and not exceeding £1. 10. 0, 3s. It was found, however, that the Government stamps on proprietary articles were frequently made by proprietors to appear as guarantees. They advertised for instance: 'None genuine unless guaranteed by the Government Stamp.' In recent years therefore the stamp has borne the legend: 'This stamp implies no Government guarantee'; but the suggestion of a guarantee is still sometimes conveyed. Recent examples are 'Protected by His Majesty's Royal Commissioners,' with an exhibition of the Royal Arms; also: 'Owing to the excellence of —'s remedy and to prevent spurious imitations, His Majesty's Honourable Commissioners of Customs have authorised the name of — (the proprietor) to be printed on the Government Stamp.' Beyond these duties, there is no control whatever of the trade. Let us proceed to consider the various proposals that have been made, with the arguments for and against them.

The main proposal of the British Medical Association is that on every packet of medicine not prescribed by a doctor the name and quantity of each constituent shall be published. The purpose of this publication is that it would no longer be possible to make absurd claims for a commonplace mixture. Mr. Harrison does not go quite so far, though he too would desire the quantities of 'dangerous drugs like acetanilid and 'alcohol' to be printed on the labels so that the public should not unknowingly imbibe a considerable quantity. But in the present state of public ignorance, few purchasers would be much the wiser if they found 'acetanilid' printed on the labels, more especially if its quantity was named in a measure to which they were totally unaccustomed. The proposal is opposed by the trade, on the ground that it would ruin them completely. To destroy the main part of the commerce of secret remedies is no doubt the object of the British Medical Association in making this proposal. Yet we must remember that proprietary medicines have continued to be very valuable paying properties after their secrecy was divulged. Such, for instance, are antipyrin, urotropin, aspirin, adrenine, and 'tabloid' preparations: for the merits of these substances are recognised so widely that they represent a valuable addition to a doctor's pharmacopœia.

The reply of the trade rests on the following principle :

' In the law of this country absolutely the only protection that the proprietor and manufacturer of a proprietary article has is the secret of his formula, which is his own trade secret, and to demand disclosure of such is contrary to one of the fundamental principles of English law. By disclosing his secret his trade-mark rights would become practically worthless.'

They instance Dover's Powders, Gregory's Powders, Warburg's Tincture, Bland's Pills, Parrish's Chemical Food, Liebig's Extract of Meat, etc., as titles lost through disclosure. We have already shown that by far the largest item in the value of a proprietary medicine is the cost of the advertisement spent on it. The point is that, if the formula were disclosed, any chemist would be able to make it up and thus reap the benefits of advertisements on which he had not spent a penny. In short, advertisement would at once cease to pay : and with the cessation of advertisement, the nostrums themselves would no longer survive.

' The owners and manufacturers of proprietary articles and foods have as much right to the result of their enormous advertising expenditure and work as any other business men, and what right has a section of the medical profession to set out to destroy the valuable properties which have been built up with large capital, great experience, and, in some cases, almost a century of work, by requiring formula disclosure ? The businesses are the personal property and are owned by the proprietors as such, as honestly as any other business or property, and it is not right to take them away unless it can be shown that they are doing harm to the public.'

The trade go on to point out that there is no demand by the public for disclosure. Moreover, while causing respectable firms to cease business, unscrupulous persons might still continue : for nothing could prevent them from giving a misleading formula while including in their nostrums vegetable compounds which would defy analysis. On this point, however, one must venture to express some doubt. A study of Mr. Harrison's work leads to the conclusion that it would demand almost supernatural magic to elude his detection.

The disclosure of formulas has been considered in the United States, Canada, Australia, New Zealand, and South Africa : and in each case has been rejected. It is compulsory, however, in France, Germany, and Italy ; but in France the law is said

to be a dead-letter owing to the absence of a check, and in Germany also it is much evaded. On behalf of the Home Office Mr. Aitken stated before the Parliamentary Committee: 'No amendment of the law in the direction of causing the formulas of the articles to be placed on the labels would help in any way.' Taking all these facts together, we must come to the same conclusion: that it is neither feasible nor desirable to compel publication of the formulas.

The next proposal is that proprietary medicines should be brought within the scope of the Food and Drugs Act 1875, which imposes a penalty if an article is not of the nature, substance, and quality demanded by the purchaser. Here Mr. Aitken, again speaking for the Home Office, has pointed out the extreme difficulty of proving that the nature, substance, and quality demanded had not been given. It is no good passing a law unless we are able to enforce it, even if the law is in itself good.

But why, it may be asked, are there not already public prosecutions in cases where the fraud is obvious? It is a matter admitting of no dispute that rupture, for instance, being due to mechanical or anatomical causes, is not curable by medication. If then a proprietor sells a medicine on the ground that it will cure rupture, why should he not be prosecuted for obtaining money under false pretences? The reason alleged by the Home Office throws a very curious light on the class of persons who have to be dealt with. The difficulty of proving fraud is found to be almost insuperable. For however unanimous scientific opinion may be as to the impossibility that a drug should effect the cure claimed for it, there appear always to come forward a number of persons of respectability who declare that they have been cured. To make the case indictable it is necessary to prove not merely that the drug is valueless, but that its advertisers knew it to be valueless: and that can never be done so long as respectable people are prepared to forward testimonials to the vendor as to the benefit which the drug has done them. It was in this way that the Harness case broke down in 1893-94. Exactly the same thing has been found in America, where 'misbranding' was made an offence, and it was made illegal to state that a remedy would cure a disease if the medical profession knew that it would not. But a case was taken to the Supreme Court,

which decided that it was a matter of opinion whether a remedy would or would not cure a disease ; and since that time no prosecutions have been brought.

Must we then conclude that nothing can be done to check fraud in the trade of proprietary medicines ? To quote Mr. Aitken once again : ' The view of the Home Office has been ' that the advertisement and extensive sale of proprietary ' medicines was a mischief, but that it was an evil which must ' be met rather by the spread of education than by legislation.' To that opinion all impartial inquirers must on the whole subscribe. For such educational work the two publications of the British Medical Association are admirably adapted ; and the Association is to be warmly congratulated on their success and the public advantage ensuing from them.

Moreover we must note that the harm done by proprietary medicines is singularly small. There may be cases of people who have unwittingly fallen into alcoholism through the agency of medicated wines. This eventuality might be met by causing a notice to be placed on bottles stating the alcoholic character of the contents, just as is now done in the case of poisons. But the damage chiefly asserted by the Medical Association is indirect, namely that ensuing from a delay in going to see a doctor. The argument is that the patient fancies he is being treated, and thereby loses valuable or vital time. But it may be held as a very sound principle of legislation that people shall not be unduly sheltered from their own folly. If anyone takes a medicine merely because an advertisement says it is good, he is a person whose education is very incomplete ; and in these days of eugenic agitation for the suppression of the unfit, we may even look upon such advertisements as performing a useful function, in weeding out the credulous. If a person feeling ill prefers to buy a nostrum rather than visit a doctor, that is his affair, not Parliament's : it cannot be just to legislate to suppress the nostrum and leave him only the doctor as an alternative. And there is little reason to believe in any extensive damage of this kind. Probably a very large number of the nostrums on the market are bought by people who only think they are ill : the consumption of the nostrum causes them subsequently to think they are well again, and what more could a doctor have done for them ? The power of faith in working cures is universally admitted to be of immense

importance. If nostrums excite faith where doctors do not, are they not to some extent justified?

But, again, it is said that diseased persons cannot be treated as ordinary healthy beings: they require special protection from fraud, since they are liable to be specially credulous and unversed in the guiles of the world. No doubt there is much truth in this. As Sir Clifford Allbutt says in his 'System of Medicine': 'In few countries has the art of healing ever been free from superstition.' It is said, moreover, that it is a cruelty to hold out false hopes of cure to one whose case has been diagnosed as incurable. But is that so? A drowning man clutches at straws; and if we cannot rescue him from the waters, there is surely no conspicuous philanthropy in the endeavour to remove all straws from within his reach, lest he should clutch at them.

Further, it is to be noted that the new Insurance Act furnishes a powerful incentive to the poor to go to their doctors rather than buy nostrums. For they get their doctor free, while for the nostrums they have to pay a high price.

In the main, therefore, we must fall back on the principle of *caveat emptor*; but it seems possible that a good deal more might be done towards prosecuting the proprietors of medicines who deceive the public into purchasing articles of fraudulent character. If such prosecutions would be rendered easier by bringing proprietary medicines within the scope of the Food and Drugs Act 1875, that should be done. In the meanwhile, the public would be well advised to have nothing to do with secret remedies, either proprietary or prescribed. They would be well advised also to purchase 'Secret Remedies' and 'More Secret Remedies,' which are not merely amusing and admirable volumes, but throw an interesting light on human nature.

In considering more broadly how to deal with the problem of proprietary medicines we are necessarily guided by our general political outlook. Fraud and all kinds of wrongdoing may be dealt with in many different ways. It is the custom of the present day to endeavour to prevent wrongdoing by establishing a general system of ticketing and inspection, by which all men are placed under supervision and the commission of fraud rendered difficult. This method has never recommended itself to the *Edinburgh Review*, which has always been inclined to the opinion that the

business of the State is to maintain justice and to repress crime by punishment, rather than by submitting innocent persons to preventive supervision or inspection. We can safely adhere to this opinion until some evidence is forthcoming to show that the system of universal inspection is satisfactory, or produces the results hoped for from it. Specially ought we to oppose the method of inspection when it can be shown that this method inflicts definite injury on innocent persons: and such is the case with many of the proposals for dealing with proprietary medicines. For instance, the proposed compulsory publication of ingredients would certainly inflict damage on the whole trade, and ruin on a large section of it. Such a measure cannot be justified by the mere fact that fraud exists in the trade: it could only be justified by proof that the entire trade is bad. To injure the whole, lest a part should deal fraudulently, is not only unjust but is a reflection on our administrative system: an admission of failure in the suppression of fraud. What is really wanted is administrative rather than legislative reform. But ultimately nothing can do much good, except public enlightenment and progressive release from credulity and superstition. We may then look upon the campaign against secret remedies as part of a greater whole; for the dissipation of credulity prepares the way for the onward march of science and for the progress of true civilisation.

HUGH S. ELLIOT.

(21.)

SIR WILLIAM HERSCHEL

The Scientific Papers of Sir William Herschel. Including early papers hitherto unpublished, collected and edited under the direction of a joint committee of the Royal Society and the Royal Astronomical Society, with a biographical introduction compiled mainly from unpublished material. By J. L. E. DREYER. London: published by the Royal Society and the Royal Astronomical Society, and sold by Dulau and Co., Ltd. 1912.

THE publication of the collected papers of Sir William Herschel has an importance and a significance quite unusual in such an enterprise. Herschel's fame needs no memorial edition; the republication of his papers has not been undertaken as a pious duty, but for the much more remarkable reason that these papers, written more than a century ago, are really wanted to-day by many students to whom the originals are nearly inaccessible. With the re-awakening of interest in cosmical astronomy, which has marked the last few years, has come a new appreciation of the value of Herschel's work and of the merit of his views on the construction of the heavens. His knowledge of the contents of the sky was unique. No one since his time can claim an equal acquaintance with the scenery of the star clouds and of the shoals of *nebulæ*; and we think that no one has pondered over these broad views of the sky with more profundity of common sense. Therefore, when we are called on to form an opinion of modern universe laws, with all their statistical apparatus and their mathematical elegance, we do well to read again the conclusions of the explorer who reflected deeply on what he saw, and who was not tempted to suppose that the law of the Universe could be expressed in a single formula.

The appearance of this edition is to be welcomed for the further reason that Dr. Dreyer has had access to the journals and records preserved in the family archives, and the introduction which he has written allows us to fill in the considerable vacancies previously existing in the story of Herschel's life. The editor has made no attempt to write history, but is content to supply so far as possible what is not found in the 'Memoirs of Caroline Herschel,' and in the other sources hitherto